

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Plaintiff,

v.

CALVIN RUSH

Defendant.

Crim. No. 07-370 (DRD)

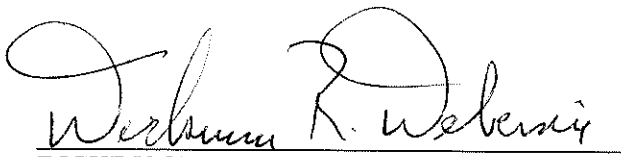
ORDER

Defendant, Calvin Rush, having moved for appointment of counsel and for re-sentencing on the ground that the sentence imposed upon him on February 21, 2008, did not reflect the two point reduction in the Base Offense Level provided for in U.S. Sentencing Guideline Amendment 706, effective March 1, 2008; and the Public Defender having reviewed Defendant's sentencing proceedings and having found that Defendant's Presentence Sentence Report gave Defendant credit for the two point reduction even though it was prepared prior to the effective date of Amendment 706; and the court having independently reviewed Defendant's sentencing proceedings and for the reasons set forth in its letter to Defendant dated October 24, 2008, having concluded that Defendant's sentencing Guideline range was properly computed and that no attorney should be appointed to represent Defendant on his claim;

IT is this 24th day of October, 2008;

ORDERED as follows:

1. Defendant's motion to reduce his sentence is denied;
2. Defendant's motion to appoint an attorney to represent him is denied.


DICKINSON R. DEBEVOISE
U.S.S.D.J.